

Zoning Code Update – Key Issues to be Addressed

This document includes important issues and considerations for the City of Pinole Comprehensive Zoning Code Update.

Key Issues/Problems to be Addressed in Zoning Code Update

Administration and Permit Procedures

- Streamline/Simplify Permit Procedures. Staff is interested in creating administrative processes for some straight-forward permit procedures, including certain Design Review project details and quantifiable criterion easily measured by staff (e.g., clarify and expand Minor Design Review/Administrative Design Review). It will also be important to simplify quasi-judicial and legislative processes to a clear and transparent process.
- Permit Extensions. Extensions of permits should be revisited and either extended and/or thresholds added to show progress of applicant.
- Review Administrative Use Permit Procedures. This process is very vague and should include clarification as to time frames, uses, etc.
- Local Agency Applicability. The city should be held to the standards that are required for private property in the Zoning Ordinance. In other words, do not exempt the City from the project review procedures or compliance with standards.

Land Use Districts and Corresponding Uses and Standards

- Update Allowed Uses. Update the current allowed use listings to a simplified list of use classifications with an administrative process for determining similar uses with appropriate checks and balances.
- Simplify Allowed Use Tables. Create a more user friendly table of allowed uses by zoning district, including uses permitted by right, conditionally permitted uses, and uses that have special considerations of performance measures.
- Eliminate Unused/Underutilized Districts. Staff identified a few unused zoning districts and potential to consolidate others (e.g., Commercial Service Zone). City Parks will be organized into one land use category and uses will be specified as permitted or conditionally permitted based on potential impact to the surrounding community.
- Clarify purpose, content, review criteria, and findings for a Planned Development (PD) Permit.
- Add Mixed Use Districts from Specific Plans. The Citywide Zoning Code should include many of the new mixed use zoning designations created for the San Pablo

Draft 3-9-09

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Ave, Appian Way, and Pinole Valley Road Specific Plans. Provisions should focus on appropriateness of the designation, as it would apply to areas of the City outside of those Specific Plan areas.

General Site Planning and Development Regulations

- **Parking Regulations.** Parking requirements must be revisited and updated to reflect current issues, conditions, and desired development patterns (e.g., mixed use). Parking regulations also need to be updated to address parking reductions, permeable surfaces, garage conversions, and required residential parking spaces (e.g., enclosed or covered, tandem).
- **Sign Regulations.** Signs regulations need to be re-examined to better address master sign programs, “A-frame” signs, directory signs, inflatable signs, temporary signs (including banner signs), and sign copy changes.

Special Use Regulations

- **Accessory Buildings/Structures.** Staff has noted that the new code must address the use, placement and overall number of accessory buildings and accessory structures on any particular site.

Definitions

- **Add New Definitions.** Staff provided a list of terms that are not currently defined, which will need to be defined with the update (e.g., hillside lots).
- **Amend Existing Definitions.** Staff also provided a list of terms that are not currently well defined and require clarification or amendment (e.g., yard areas).

Legal Issues to be addressed in Zoning Code Update

In addition to the items listed above, PMC has done a cursory review of existing regulations and identified the potential need to amend the following regulations to ensure compliance with current State and Federal laws as noted.

- Second dwelling units must be consistent with state law
- Wireless communication facilities must be consistent with federal law
- Group homes must be allowed in certain zoning districts
- Care facilities and homes (child, adult, residential) must be allowed in certain zoning districts

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- Manufactured homes must be treated like single family residences
- Density Bonus provisions must be consistent with state law
- Emergency shelters, transitional housing, and SRO must be allowed in certain zoning districts
- Water Efficient landscape ordinance could be placed in the zoning code or in the Muni code, can either use the states model ordinance or create own
- Solar facilities must be consistent with state law

Other Considerations for Zoning Code Update

- Overall Document Organization and Usability. The Project Team proposes reorganization of the document to be more user friendly, to eliminate replication, to simplify regulations with tables, and to clarify regulations with simple graphics and illustrations.
- General Plan Consistency. The Zoning Code is required by State law to be consistent with the General Plan. The two projects are being done simultaneously for the City of Pinole. The Zoning Code will need to include new and modified regulations to ensure consistency with the Updated General Plan (e.g., increase allowable density in key areas of the City) and any new policy directives (e.g., sustainability action items).
- Relationship to Prepared Specific Plan(s). Specific Plans are a partnering tool to the Zoning Code to implement the City's General Plan for a particular area of the City. Consistent with State law, the Specific Plan replaces the Citywide zoning regulations in that area of the City. Since the corridor Specific Plans introduce several new mixed use designations with form based zoning regulations, the Citywide zoning code may incorporate one or more of those zoning districts that may be appropriate for rezoning in other areas of the City. The Specific Plans will be adopted separately as a partnering zoning tool for specific areas of the City, but will not be codified as part of the Zoning Code.